

Oklahoma Department of Environmental Quality

Used Oil and PCBs

Used Oil/PCB Topics

- Basic Overview of the RCRA Used Oil Regs (40 CFR 279)
- Basic Overview of the TSCA used oil regs (40 CFR 761.20 (d) & (e))
- Differences between Oklahoma and Federal used oil regulations

Title 40 CFR Part 279

- Topic
- Definitions A
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Definitions

- Used Oil – Any oil that has been refined from crude oil or any synthetic oil that has been used and as a result of such use is contaminated by physical or chemical impurities
- Generator – Produces used oil or causes it to become regulated

Definitions (cont'd)

- Transfer facility – Stored during transport for more than 24 hours and less than 35 days
- Processor/Re-refiner – Chemical or physical operations to make oil amenable for oil derived products
- Marketer – First claims used oil meets specifications or ships off-spec oil to burner

Mixtures

- Used oil mixed with listed hazardous waste= hazardous waste
- Used oil mixed with characteristic hazardous waste
 - Ignitable only hazardous waste
 - Characteristic other than ignitability

generators

- No notification, manifesting, quantity limit or accumulation time limit
- Label tanks or containers with the words “used oil”
- Spills abated, contained and remediated
- 40 CFR 112 applies to large tanks near water
- 40 CFR 280 applies to oil stored in UST’s

Collection Centers & Aggregation Points

- Must comply with generator standards
- Accept no more than 55 gallon shipments

Transporter & Transfers Facilities

- Spills abated, contained and remediated
- Record generator name, address, EPA ID number, quantity, date & signature
- Keep records for 3 years
- Cannot blend off-spec used oil with virgin oil to meet spec
- Can filter transformer oil & return it to it's original use without processor status

Processors & Re-refiners

- Notify EPA of used oil activities
- Contingency Plan required
- Analysis Plan (total halogens spec test)
- Store in tanks and containers labeled used oil
- Secondary containment required

Processing

- Blending with virgin oil
- Blending to meet fuel specifications
- Filtration
- Distillation
- Re-refining
- Chemical/physical separation

Used Oil Specifications limits

- Arsenic 5 ppm
- Cadmium 2 ppm
- Chromium 10 ppm
- Lead 100 ppm
- Halogens 4,000 ppm
- Flash Point 100° F
- PCBs 2 ppm

Rebuttable Presumption

- > 1000 ppm total halogens
 - Presumed mixed with listed hazardous waste
 - Can be rebutted

Confusion Between Off-spec and Rebuttable Presumption

- < 1000 ppm total halogen concentration
 - On-spec, no presumption
- Between 1000 & 4000 ppm total halogen concentration
 - On spec, presumption, successfully rebutted?
- > 4000 ppm total halogen concentration
 - Off-spec, presumption, successfully rebutted?

Marketer

- If used oil is off-spec
 - Notify EPA of used oil activities
 - Burned in proper device
 - record transporter/burner:
 - Name address, EPA ID number, quantity and date
 - Keeps records of:
 - Analysis, receiver's name & address, quantity, date shipped

Marketer

- If used oil is on spec:
 - Notify EPA of used oil activities
 - record transporter/burner:
 - Name, address, EPA ID number, quantity, date and analysis cross reference
 - Keeps records of:
 - Analysis, receiver's name & address, quantity and date shipped

Burners of Off-spec Used Oil

- EPA ID number
- Notify
- SPCC requirements (40 CFR 112) & secondary containment
- Retain records of :
 - Each shipment accepted for burning
 - Analysis
 - Retain for 3 years

Burners of Off-spec Used Oil

- Acceptable devices:
 - Industrial furnace
 - Industrial boiler
 - Utility boiler
 - Hazardous waste incinerators

Burners of on spec used oil

- Comply with requirements for marketers of on spec used oil









Title 40 CFR Part 761.20(e)

- Restrictions on Marketing
- Testing of Used Oil Fuel
- Burning
- Recordkeeping Requirements

Marketers

- Used oil > 2 ppm PCBs may be marketed only to:
 - Qualified incinerators
 - Marketers
 - Burners

Testing of Used Oil Fuel

- Presumed to contain quantifiable levels (2ppm) of PCBs unless analysis is provided
- Personal, special knowledge of source or certification from generator can be used
- Used oil + PCB >50 ppm = fully subject to TSCA

Restrictions on Burning

- Only burn used oil with greater than quantifiable levels of PCBs in allowed combustion facilities at normal operating temperatures
- Provide notification
- Identify the class of burner for which he qualifies

Recordkeeping Requirements

- Marketers
 - Analysis or other info documenting claim of no detectable PCBs
 - Copy of each certification notice relating to PCB containing used oil transactions
- Burners
 - Provide certification notice

Prohibited Uses of Waste Oil

- Sealant
- Coating
- Road oiling
- General dust control
- Pesticide or herbicide carrier
- Rust preventative

Oklahoma Used Oil Regulations

- 40 CFR 279 – Adopted by reference with one exception
- §279.82
 - Prohibits use of used oil as dust suppressant
 - Adopted by reference
 - Allows states to petition for authorization to utilize used oil as a dust suppressant
 - Not adopted